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Rep. Guerrero

Raised Bill 5462
Public Hearing: 3-2-16

TO: MEMBERS OF THE TRANSPORTATION COMMITTEE
FROM: CONNECTICUT TRIAL LAWYERS ASSOCIATION (CTLA)
DATE: MARCH 2, 2016

**RE: OPPOSITION TO IMMUNITY PROVISIONS of HB5462, AA REQUIRING THE
INSTALLATION OF SAFETY SEAT BELTS ON SCHOOL BUSES**

CTLA, while supportive of the installation of safety seat belts on school buses, opposes subsection (c) of section 2 of this bill (at lines 68-72) because it creates immunities from liability for school bus operators, companies and school districts.

Further, the bill would create an unreasonable expansion of our immunity laws, which are only extended where there is some broad overarching public benefit. While there is a great public benefit to the requirements of this bill, there does not seem to be a commensurate public benefit to the extension of the immunity contemplated.

It is not fair for injured children to be left without recourse if the school bus operator, company or school district is negligent in complying with this sensible legislation. The broader public benefit is for the companies who are providing the service to purchase insurance against possible negligence, and then act diligently to avoid it. Allowing this immunity provision to remain in the bill is allowing companies, who operate for a profit, to avoid having to pay for the consequences of their negligence, when those consequences could be serious injury to our state's children!

Additionally, the immunity portion of this bill protects possible negligence, and removes any incentive to follow the other provisions of the bill. The bill outlines sensible steps that bus drivers and schools are required to take, then effectively removes the teeth of those requirements by saying anyone hurt by their negligence in not following is on their own if they get injured. It is not fair for injured children to be left without recourse if the school bus operator, company or school district was negligent in complying with this sensible legislation.

WE URGE YOU TO OPPOSE THE IMMUNITY of HB5462. Thank you.